

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2009-090021

02/20/2009

HONORABLE JO LYNN GENTRY-LEWIS

CLERK OF THE COURT

C. Towles

Deputy

IN RE THE MATTER OF
PAUL X OLLARSABA JR.

PAUL X OLLARSABA JR.
4648 S 4 ST
PHOENIX AZ 85040

AND

LEAH M TROGLIA

SHANNON BRADLEY

CONCILIATION SERVICES-SE
FAMILY COURT SERVICES-CCC
FINANCIAL SERVICES-BILLING-CCC

MINUTE ENTRY

Courtroom 302-SE

9:28 a.m. This is the time set for Temporary Orders. Petitioner/Father is present on his own behalf. Respondent/Mother is present and is represented by above named counsel.

A digital audio recording of this proceeding is made using "For the Record" recording system in lieu of a court reporter.

Discussion is held regarding the status of the case and paternity.

LET THE RECORD REFLECT that paternity has been established as both parents have signed the acknowledgment of paternity and placed Father's names on the children's birth certificates.

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Paul X. Ollarsaba and Leah M. Troglia are sworn.

Respondent's case:

Lea M. Troglia testifies.

Respondent's exhibit 1 is marked for identification.

Respondent's exhibit 1 is received in evidence.

Respondent rests.

Petitioner's case:

Paul X. Ollarsaba, having been previously sworn, now testifies.

Petitioner rests.

On an interim basis,

IT IS ORDERED that Father shall have parenting time on the second and fourth weekend of each month from Saturday at 9:00 a.m. until Sunday at 6:00 p.m. The receiving party shall provide transportation.

IT IS FURTHER ORDERED that Father shall ensure that the children have the appropriate child restraint seats while they are traveling in a car, regardless of who is transporting them.

IT IS FURTHER ORDERED that Father shall provide appropriate sleeping arrangements while the children are in his care.

The Court prepares a *Child Support Worksheet*, which incorporates the Court's findings and is filed with the Clerk of the Court herein.

On an interim basis,

IT IS ORDERED that Father shall pay to Mother as and for child support the sum of \$938.69 per month, payable through the Support Payment Clearinghouse by Wage Assignment, effective March 1, 2009. This amount is without prejudice and is subject to reallocation at trial.

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LET THE RECORD REFLECT that an Order of Assignment will be initiated electronically.

IT IS FURTHER ORDERED that at any time an Order of Assignment is not paying the child support obligation in full, Father shall make full and timely payments directly to the Support Payment Clearinghouse in accordance with the instructions for making support payments through the Clearinghouse attached hereto.

If payments are made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation.

Any change in the paying party's employment and any change in the residential address of either party **must** be submitted to the Clerk's office, in writing, within ten (10) days of the change [A.R.S. § 25-322(C)]. Failure to notify the Clerk's office of any change may be considered contempt of Court.

IT IS FURTHER ORDERED that Father shall complete and submit to the Court the *Current Employer Information* form attached hereto.

Discussion is held regarding Father's *Motion to Review Parent Worksheets and Enter Evidence*, filed February 5, 2009.

IT IS ORDERED denying Father's Motion as moot.

IT IS FURTHER ORDERED referring the parties to Conciliation Services for a **Parenting Conference**. The parties shall comply with all instructions and directives issued by Conciliation Services.

IT IS FURTHER ORDERED that immediately following this hearing each party is directed to pay the **\$200 per party** fee at the Clerk of the Court filing counter. After making payment arrangements at the filing counter, each party is required to complete the necessary forms at Conciliation Services and to provide proof of payment or deferral of the fee.

IT IS FURTHER ORDERED setting the Parenting Conference for **March 24, 2009 at 9:00 a.m.** in Conciliation Services at:

**Maricopa County Superior Court
Southeast Regional Court Center
222 East Javelina, Suite 1300
Mesa, Arizona 85210**

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WARNING

IF YOU FAIL TO APPEAR AT THE PARENTING CONFERENCE AS ORDERED, YOU MAY BE REQUIRED TO PAY A \$100 NO SHOW FEE. IF YOU CANNOT ATTEND, YOU MUST REQUEST AND BE GRANTED PERMISSION FROM THE JUDGE IN YOUR CASE TO RESCHEDULE THE CONFERENCE AT LEAST THREE FULL COURT DAYS BEFORE THE CONFERENCE.

IT IS FURTHER ORDERED setting this cause for **Trial** to the Court on **May 6, 2009** at **1:30 p.m.** before:

The Honorable Jo Lynn Gentry-Lewis
Southeast Judicial District
Courtroom 302
222 East Javelina Avenue
Mesa, Arizona 85210

Time Allotted: 1 1/2 hours

IT IS FURTHER ORDERED all discovery shall be completed by **April 6, 2009**.

A **Joint Pretrial Statement** shall be filed pursuant to Rule 6.8(b), Local Rules of Maricopa County (Domestic Relations Proceedings) no later than **April 29, 2009**. This Court does not accept separate Pretrial Statements. If the parties want to make an opening statement, it may be included in the Pretrial Statement. In addition, each party shall attach to the Pretrial Statement:

1. An updated affidavit of the current financial circumstances pursuant to Rule 6.7, Local Rules of Maricopa County.
2. A current and detailed inventory and appraisal of the property and assets of the parties.
3. A proposal of how the property and assets should be divided and the proposed disposition of each issue before the Court.
4. A Child Support Worksheet completed pursuant to the Statewide Child Support Guidelines. If a jointly prepared Worksheet is not filed, each party shall file a completed Child Support Worksheet.

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Objections and pretrial motions not filed by **April 21, 2009** will be deemed waived. Postponements will be granted only in accordance with appropriate rules.

Failure of counsel or of any party to present the Joint Pretrial Statement in proper form including each and every attachment required shall, in the absence of good cause shown, result in the imposition of any or all available sanctions pursuant to Local Rule 6.2(e).

If this matter is settled and will proceed in the manner of a default, you may contact this division for an expedited hearing date.

Counsel are advised that if the presentation of evidence does not allow for closing arguments, the Court will direct the parties to submit written closing arguments. If time allows for closing arguments, the Court may hear closing arguments at that time.

IT IS ORDERED that no less than five (5) business days prior to Trial, the parties and, if represented, counsel shall provide to the clerk of this division any exhibits they shall seek to admit into evidence. **All exhibits must be clearly identified, separated by a COLORED sheet and hand delivered to the Clerk of this Division no later than 12:00 p.m. on April 29, 2009. All exhibits shall be hand-delivered directly to court staff at this Division's suite.** No Trial exhibits shall be presented for marking that have not been previously exchanged. No duplicate exhibits shall be presented for marking. **Failure to obey these orders may result in exclusion of the exhibit and/or waiver of objections.**

IT IS FURTHER ORDERED that in the event the parties have a natural or an adopted minor, unemancipated child in common, both parties shall have completed an approved Parent Education Program in accordance with A.R.S. § 25-831 et seq. Prior to the trial, and file proof thereof prior to or at the trial. **IF NEITHER PARTY HAS COMPLETED THE PARENT EDUCATION PROGRAM PRIOR TO THE TRIAL, THE COURT MAY VACATE THE TRIAL AND REQUIRE COMPLIANCE PRIOR TO PROCEEDING.** If only one party has completed the Parent Education Program, the Court may permit that party to proceed by default.

IF EITHER PARTY FAILS TO APPEAR FOR TRIAL, THE TRIAL MAY NEVERTHELESS PROCEED, AND RELIEF MAY BE ENTERED IN FAVOR OF THE PARTY WHO HAS APPEARED.

IF BOTH PARTIES FAIL TO APPEAR, THE TRIAL MAY BE VACATED AND/OR THE ACTION MAY BE DISMISSED.

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NOTE: All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this Division **five (5) court business days** before the scheduled hearing.

NOTICE: A child should not be brought to the Courthouse to be present during a court proceeding except in the circumstance that the child is to be interviewed by the Judge in chambers or unless the child's presence is otherwise required for the court proceeding. Whenever a child is brought to the Courthouse, it is the responsibility of the party who brings the child to arrange for appropriate care and supervision of the child outside of the courtroom and judicial offices. The duties of Court personnel do not permit them to perform this function.

IT IS FURTHER ORDERED signing this minute entry as a formal Order of the Court.

9:57 a.m. Matter concludes.

FILED: Child Support Worksheet and Exhibit Worksheet.

02/24/2009

/S/ HON. JO LYNN GENTRY-LEWIS

Date

The Honorable Jo Lynn Gentry-Lewis
Judicial Officer of the Superior Court

In the event that the parties have any difficulties interpreting, enforcing or otherwise complying with provisions of this Order, they shall first seek mediation through a qualified mediator of their mutual selection to attempt to reach agreement prior to seeking Court intervention.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

Attachments:

PAUL X OLLARSABA JR.: Current Employer Information, Non IV-D Payment Instructions